IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 4:22-cv-00046-D

JEREMY SOUTHERLAND, individually and on behalf of similarly situated persons, Plaintiff, v. **PIRATE PIZZA, INC.,** and **ALLEN LYLE,** Defendants.	**ORDER GRANTING JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AGREEMENT**

THIS MATTER is before the Court on the Parties' Joint Motion for Preliminary Approval of Settlement Agreement ("Motion"). Having carefully considered the Motion, the undersigned will **GRANT** the motion.

IT IS THEREFORE ORDERED that the Motion is **GRANTED** and the Court hereby:

1. Grants Plaintiff leave to file and Amended Complaint adding class claims under North Carolina law;

2. Conditionally certifies a Fair Labor Standards Act ("FLSA") collective action pursuant to Section 216 as set forth in the Parties' Motion;

3. Certifies a North Carolina class action pursuant to Rule 23, for purposes of settlement, as set forth in the Parties' Motion;

4. Appoints Plaintiff Jeremy Southerland as Class Representative and appoints Forester Haynie PLLC and The Law Offices of Jason E. Taylor P.C. as Class Counsel;

5. Preliminarily finds that the Parties' settlement of the class claims appears to be fair, reasonable, and adequate as to members of the class, subject to any objections that may

be raised at the final fairness hearing and final approval of the class settlement by this

Court;

6. Grants preliminary approval of the settlement;

7. Approves as to form and content the Parties' proposed class settlement Notice and process for requesting exclusion from the settlement as reasonable notice practicable under the circumstances and in full compliance with applicable law;

8. Directs the mailing of the Notice Form by first-class mail to the Settlement Class Members;

9. Schedules a final fairness hearing; and Orders that the final approval hearing will be held on ___August 18, 2023, at 3:00 PM___ .

SO ORDERED. This the _1_ day of May, 2023.

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JAMES C. DEVER III
United States District Judge